



**Office of the Attorney General  
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**NEWS RELEASE**

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**TENNESSEE ATTORNEY GENERAL JOINS MULTISTATE AGREEMENT IN ORAL  
CONTRACEPTIVE ANTITRUST LAWSUIT**

Tennessee Attorney General Bob Cooper announced today his office and 33 other states have entered an agreement with the makers of the oral contraceptive product Ovcon resolving antitrust allegations.

The States allege Warner Chilcott (the sole U.S. distributor of Ovcon) and Barr Pharmaceuticals conspired to prevent generic versions of Ovcon from reaching the marketplace. As a result of the agreement, Warner Chilcott has agreed it will not engage in similar conduct in the future and will pay the states \$5.5 million. Tennessee's share is \$128,528.97 in penalties and costs of the investigation.

"Whenever businesses agree to keep cheaper versions of their products out of the marketplace, it cheats all consumers," Attorney General Cooper said. "Our office is committed to keeping the playing field level to ensure natural competition in the marketplace and better options for consumers."

The lawsuits, filed in 2005 in the U.S. District Court for the District of Columbia, allege Warner Chilcott paid Barr \$20 million to keep Barr from marketing a generic version of Ovcon. Ovcon has been sold in the United States since 1976 as an oral contraceptive. Warner Chilcott became the exclusive U.S. distributor of Ovcon in early 2000.

In 2003, Barr publicly announced it planned to have a generic version of Ovcon on the market by the end of that year. The lawsuit alleges Warner Chilcott paid Barr \$1 million in September 2003 for an option agreement designed to prevent Barr's generic product from being sold in the marketplace. Under terms of the alleged agreement, once Barr received FDA approval to market generic Ovcon, Warner Chilcott had 90 days to pay Barr \$19 million after which Barr would refuse to bring the cheaper generic version to the market.

Relief obtained through today's settlement agreement will help ensure Warner Chilcott will not engage in similar conduct in the future. The lawsuit against Barr will proceed in the U.S. District Court.